

14A

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/784,884	DAHL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thomas L. Dickey	2826	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to IDS filed 01/10/2005.
2. ☒ The allowed claim(s) is/are 61-72.
3. ☒ The drawings filed on 24 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>01/10/2005</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|---|

*Minhloan Tran*

**Minhloan Tran  
 Primary Examiner  
 Art Unit 2826**

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## REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Claims 61-72 are allowed over the references of record because none of these references disclosed or can be combined to yield the claimed invention such as a capacitor having a dielectric layer comprising a diamondoid-containing material, positioned between a first electrode and a second electrode, wherein the diamondoid-containing material is a polymerized material comprising triamantane, a lower diamondoid, as claimed in claim 61, or wherein the diamondoid-containing material is selected from the group consisting of a lower diamondoid-containing sintered ceramic, a lower diamondoid ceramic composite, and a self-assembled lower diamondoid film, as claimed in claim 62, or wherein the diamondoid-containing material includes at least a higher diamondoid-containing material, as claimed in claims 64 and 67.

SEKIDO al. JP52025293A discloses a dielectric layer 1 comprising a polymerized material comprising adamantane, a lower diamondoid, positioned between a first electrode 3 and a second electrode 4. Note figures 1 and 2 and tables 1 and 2 of SEKIDO et al. SEKIDO et al. neither discloses nor suggests the triamantane of claim 61, the diamondoid-containing material selected from the group consisting of a lower diamondoid-containing sintered ceramic, a lower diamondoid ceramic composite, and a self-assembled lower diamondoid film, of claim 62, or the higher diamondoid-containing material of claims 64 and 67.

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Robinson 6,455,916 discloses a dielectric layer 21 comprising an organic material, positioned between a first electrode 22 and a second electrode 25. Note figure 2 of Robinson. However, Robinson's dielectric layer comprises an organic isolation matrix formed from fullerene, a two-dimensional polymer, or a soluble polymer matrix. Hence Robinson neither discloses nor suggests the triamantane of claim 61, the diamondoid-containing material selected from the group consisting of a lower diamondoid-containing sintered ceramic, a lower diamondoid ceramic composite, and a self-assembled lower diamondoid film, of claim 62, or the higher diamondoid-containing material of claims 64 and 67.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas L Dickey whose telephone number is 571-272-1913. The examiner can normally be reached on Monday-Thursday 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**TLD**  
**03/05**